

Mike Capuano
Democrat for Congress

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February 18, 1998

Ms. Pat Sheppard, Reports Analyst
Federal Election Commission - Reports Analysis Division
999 E Street, NW
Washington, DC 20463

Re: Response to Letter dated 02/16/99 - October Quarterly Report (08/27/98 -
09/30/98)
FEC # C 00336388

Dear Ms. Sheppard:

I am writing in response to the above-referenced letter. With respect to the three (3) items raised in said letter, our response is as follows:

- A. With respect to Item #1, please see the attached exhibit entitled "Analysis". This exhibit contains a breakout of all receipts in excess of one thousand dollars (US \$1000.00) received by the Committee during the period 08/27/98 - 09/30/98. Of the said twenty-three (23) receipts, one (1) was a refund of a deposit and not substantively subject to the reporting requirement. Of the remaining twenty-two (22) receipts, all were either loans or contributions, but five (5) such receipts were received after the relevant time period (i.e. later than 48 hours before the date of the relevant election, the primary of 09/15/98). This leaves a balance of seventeen (17) receipts to be reported.

By our records, all seventeen (17) items were reported: (i) five (5) items by facsimile on 09/10/98; (ii) nine (9) items by facsimile on 09/12/98; and, (iii) three (3) by facsimile on 09/14/98. Without more specific information from the Commission, I am unable to find any indication that receipts were not reported.

Where an issue may arise is with respect to the timeliness of the final such report. The report was made on 09/14/98 for items received on 09/11/98. While this is nominally more than 48 hours after receipt, I would note that 09/13/98 was a Sunday. Typically, filing deadlines falling on a Sunday are timely met if performance occurs on the next day not a holiday. As the Committee did file the next day, 09/14/98, we did believe that we were in compliance. If this belief was incorrect, please accept our acknowledgment thereof and commitment to timely performance in the future.

- B. With respect to Item #2, please see the attached Schedule B.